

must be presented to the municipal board of elections at the time of the filing of the statement of candidacy."

SEC. 32. That section two hundred and fifty-eight be and the same is hereby repealed and a new section two hundred and fifty-eight inserted in lieu thereof, to read as follows:

"SEC. 258. *Duties of county board of elections conferred.* The expense of conducting any municipal election or municipal primary, including the compensation of the members of the municipal board of elections, shall be paid by the secretary-treasurer and the mayor-commissioner of said city out of the treasury of the city of Asheville, and the purchase of all supplies and equipment shall be made by and through the purchasing agent, and the members of said municipal board of elections shall be compensated in the same manner as the Buncombe County board of elections."

Expense of election and primary.

SEC. 33. That section two hundred and sixty-one be and the same is hereby repealed and a new section two hundred and sixty-one inserted in lieu thereof, to read as follows:

"SEC. 261. *Second primary in case of tie.* If of the persons voted for as mayor, commissioners of any department, or judge of the police court, in the second primary, there shall be an equal number of votes for two candidates for the same office, there shall be held three days thereafter a third primary election for the purpose of breaking such tie, which primary shall be conducted in the same manner as the previous primaries."

Second primary.

SEC. 34. That section two hundred and eighty-five be and the same is hereby repealed and a new section two hundred and eighty-five inserted in lieu thereof, to read as follows:

"SEC. 285. *Opening, widening, straightening of streets or other public improvements.* Whenever, in the opinion of the board of commissioners of said city, it is advisable to obtain land or right of way therein for the purpose of opening a new street therein, or widening or straightening a street therein, or making culverts or waterways for carrying water out of any street therein, or for the laying of sewer or water lines therein, or for any public improvement for the benefit of said city of Asheville, and said board of commissioners and the owner or owners of such land or right of way cannot agree as to the amount of damages consequent thereupon, as well as to the special advantage which may result to the owner or owners thereof, by reason of such opening, widening or straightening of the street, or making of such culvert or waterway or laying of sewer lines or water lines, or for any other public improvement, said board of commissioners shall lay out, constitute and erect an assessment district extending in every direction to limits of the area or zone of damages or special benefits to property resulting from the said improvement in the best judgment of the said board of commissioners (and said assessment district may be laid out, erected and constituted by said board of commissioners at their discretion, either after or before said improvement is

Powers in making public improvements.

Assessment districts.